

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:18-cv-00789-TJK**

GOVERNMENT ACCOUNTABILITY PROJECT et al v.
UNITED STATES ENVIRONMENTAL PROTECTION
AGENCY

Assigned to: Judge Timothy J. Kelly
Cause: 05:552 Freedom of Information Act

Plaintiff

**GOVERNMENT ACCOUNTABILITY
PROJECT**

Date Filed: 04/06/2018
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

represented by **Merrick Jason Wayne**
LOEJVY & LOEJVY
311 N. Aberdeen Street
Third Floor
Chicago, IL 60607
(312) 243-5900
Fax: (312) 243-5902
Email: merrick@loevy.com
ATTORNEY TO BE NOTICED

Joshua Hart Burday
LOEJVY & LOEJVY
311 N. Aberdeen Street
Third Floor
Chicago, IL 60607
(312) 243-5900
Fax: (312) 243-5902
Email: joshb@loevy.com
ATTORNEY TO BE NOTICED

Plaintiff

ZACK KOPPLIN

represented by **Merrick Jason Wayne**
(See above for address)
ATTORNEY TO BE NOTICED

Joshua Hart Burday
(See above for address)
ATTORNEY TO BE NOTICED

V.

Defendant

**UNITED STATES
ENVIRONMENTAL PROTECTION
AGENCY**

represented by **Scott Leeson Sroka**
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
(202) 252-7113
Fax: (202) 252-2599
Email: scott.sroka@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
04/06/2018	<u>1</u>	COMPLAINT against UNITED STATES ENVIRONMENTAL PROTECTION AGENCY (Filing fee \$ 400 receipt number 0090-5409418) filed by GOVERNMENT ACCOUNTABILITY PROJECT, ZACK KOPPLIN. (Attachments: # <u>1</u> Civil Cover

		Sheet, # <u>2</u> Summons, # <u>3</u> Summons, # <u>4</u> Summons)(Burday, Joshua) (Attachment 1 replaced on 4/9/2018) (zsth). (Entered: 04/06/2018)
04/06/2018		Case Assigned to Judge Timothy J. Kelly. (zsth) (Entered: 04/09/2018)
04/09/2018	<u>2</u>	SUMMONS (3) Issued Electronically as to UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Notice and Consent)(zsth) (Entered: 04/09/2018)
04/10/2018	<u>3</u>	NOTICE of Appearance by Joshua Hart Burday on behalf of GOVERNMENT ACCOUNTABILITY PROJECT, ZACK KOPPLIN (Burday, Joshua) (Entered: 04/10/2018)
07/09/2018	<u>4</u>	ORDER. On or before July 30, 2018, Plaintiffs shall either (1) cause process to be served upon Defendant and file proof of service with the Court, or (2) file a motion to enlarge time to serve process and show good cause, if any, for failure to serve process in a timely fashion. See Order for details. Signed by Judge Timothy J. Kelly on 7/9/2018. (lctjk2) (Entered: 07/09/2018)
07/09/2018	<u>5</u>	ENTERED IN ERROR.....RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES ENVIRONMENTAL PROTECTION AGENCY served on 6/26/2018 (Topic, Matthew) Modified on 7/10/2018 (tth). (Entered: 07/09/2018)
07/09/2018	<u>6</u>	ENTERED IN ERROR.....RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 06/26/2018. (Topic, Matthew) Modified on 7/10/2018 (tth). (Entered: 07/09/2018)
07/09/2018	<u>7</u>	ENTERED IN ERROR.....RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 6/26/2018. Answer due for ALL FEDERAL DEFENDANTS by 7/26/2018. (Topic, Matthew) Modified on 7/10/2018 (tth). (Entered: 07/09/2018)
07/10/2018		NOTICE OF ERROR re <u>5</u> Summons Returned Executed as to Federal Defendant; emailed to matt@loevy.com, cc'd 3 associated attorneys --- The PDF file you docketed contained errors: 1. Invalid attorney signature, 2. Please refile using correct ECF login. (ztth,) (Entered: 07/10/2018)
07/10/2018		NOTICE OF ERROR re <u>6</u> Summons Returned Executed as to U.S. Attorney General; emailed to matt@loevy.com, cc'd 3 associated attorneys --- The PDF file you docketed contained errors: 1. Invalid attorney signature, 2. Please refile using correct ECF login. (ztth,) (Entered: 07/10/2018)
07/10/2018		NOTICE OF ERROR re <u>7</u> Summons Returned Executed in FOIA as to U.S. Attorney; emailed to matt@loevy.com, cc'd 3 associated attorneys --- The PDF file you docketed contained errors: 1. Invalid attorney signature, 2. Please refile using correct ECF login. (ztth,) (Entered: 07/10/2018)
07/10/2018	<u>8</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES ENVIRONMENTAL PROTECTION AGENCY served on 6/25/2018 (Burday, Joshua) (Main Document 8 replaced on 7/11/2018 to remove header) (tth). Modified on 7/11/2018 (tth). (Entered: 07/10/2018)
07/10/2018	<u>9</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 6/26/2018. (Burday, Joshua) (Main Document 9 replaced on 7/11/2018 to remove header) (tth). Modified on 7/11/2018 (tth). (Entered: 07/10/2018)
07/10/2018	<u>10</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 6/26/2018. Answer due for ALL FEDERAL DEFENDANTS by 7/26/2018. (Burday, Joshua) (Main Document 10 replaced on 7/11/2018 to remove header) (tth). Modified on 7/11/2018 (tth). (Entered: 07/10/2018)
07/26/2018	<u>11</u>	NOTICE of Appearance by Scott Leeson Sroka on behalf of All Defendants (Sroka, Scott) (Entered: 07/26/2018)

07/26/2018	<u>12</u>	ANSWER to Complaint by UNITED STATES ENVIRONMENTAL PROTECTION AGENCY.(Sroka, Scott) (Entered: 07/26/2018)
07/27/2018		MINUTE ORDER: Before the Court in this FOIA case are a complaint and an answer. It is hereby ORDERED that the parties shall meet, confer, and file a joint proposed schedule for briefing or disclosure by August 16, 2018. Signed by Judge Timothy J. Kelly on 7/27/2018. (lctjk2) (Entered: 07/27/2018)
07/27/2018		Set/Reset Deadlines: Joint Proposed Briefing Schedule or Disclosure due by 8/16/2018. (kh) (Entered: 07/27/2018)
08/16/2018	<u>13</u>	Joint STATUS REPORT by GOVERNMENT ACCOUNTABILITY PROJECT, ZACK KOPPLIN. (Topic, Matthew) (Entered: 08/16/2018)
08/17/2018		MINUTE ORDER: In light of the parties' <u>13</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report, including, if necessary, a proposed briefing schedule, by September 17, 2018. Signed by Judge Timothy J. Kelly on 8/17/2018. (lctjk2) (Entered: 08/17/2018)
09/17/2018	<u>14</u>	Joint STATUS REPORT by UNITED STATES ENVIRONMENTAL PROTECTION AGENCY. (Sroka, Scott) (Entered: 09/17/2018)
09/17/2018		MINUTE ORDER: In light of the parties' <u>14</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report, including, if necessary, a proposed briefing schedule, by October 17, 2018. Signed by Judge Timothy J. Kelly on 9/17/2018. (lctjk2) (Entered: 09/17/2018)
10/17/2018	<u>15</u>	Joint STATUS REPORT by UNITED STATES ENVIRONMENTAL PROTECTION AGENCY. (Sroka, Scott) (Entered: 10/17/2018)
10/17/2018		MINUTE ORDER: In light of the parties' <u>15</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report, including, if necessary, a proposed briefing schedule, by December 7, 2018. Signed by Judge Timothy J. Kelly on 10/17/2018. (lctjk2) (Entered: 10/17/2018)
12/07/2018	<u>16</u>	Joint STATUS REPORT by UNITED STATES ENVIRONMENTAL PROTECTION AGENCY. (Sroka, Scott) (Entered: 12/07/2018)
12/07/2018		MINUTE ORDER: In light of the parties' <u>16</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report, including, if necessary, a proposed briefing schedule, by January 25, 2019. Signed by Judge Timothy J. Kelly on 12/7/2018. (lctjk2) (Entered: 12/07/2018)
01/22/2019	<u>17</u>	Unopposed MOTION to Stay , MOTION for Extension of Time to <i>in Light of Lapse of Appropriations</i> by UNITED STATES ENVIRONMENTAL PROTECTION AGENCY (Attachments: # <u>1</u> Text of Proposed Order)(Hudak, Brian) (Entered: 01/22/2019)
01/23/2019		MINUTE ORDER: It is hereby ORDERED that the deadline set forth in the Court's Minute Order of December 7, 2018, to file a joint status report, including, if necessary, a proposed briefing schedule, is EXTENDED to March 1, 2019. Signed by Judge Timothy J. Kelly on 1/23/2019. (lctjk2) (Entered: 01/23/2019)
01/29/2019		MINUTE ORDER denying Defendant's <u>17</u> Unopposed Motion to Stay. In light of the restoration of funding to the Department of Justice, it is hereby ORDERED that Defendant's motion is DENIED AS MOOT. Signed by Judge Timothy J. Kelly on 1/29/2019. (lctjk2) (Entered: 01/29/2019)
03/01/2019	<u>18</u>	Joint STATUS REPORT by UNITED STATES ENVIRONMENTAL PROTECTION AGENCY. (Sroka, Scott) (Entered: 03/01/2019)
03/01/2019		MINUTE ORDER: In light of the parties' <u>18</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report, including, if necessary, a proposed briefing schedule, by May 28, 2019. Signed by Judge Timothy J. Kelly on 3/1/2019. (lctjk2) (Entered: 03/01/2019)
05/28/2019	<u>19</u>	Joint STATUS REPORT by UNITED STATES ENVIRONMENTAL PROTECTION AGENCY. (Sroka, Scott) (Entered: 05/28/2019)

05/28/2019		MINUTE ORDER: In light of the parties' <u>19</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report, including, if necessary, a proposed briefing schedule, by August 21, 2019. Signed by Judge Timothy J. Kelly on 5/28/2019. (lctjk2) (Entered: 05/28/2019)
08/06/2019	<u>20</u>	NOTICE of Appearance by Merrick Jason Wayne on behalf of GOVERNMENT ACCOUNTABILITY PROJECT, ZACK KOPPLIN (Wayne, Merrick) (Entered: 08/06/2019)
08/21/2019	<u>21</u>	Joint STATUS REPORT by UNITED STATES ENVIRONMENTAL PROTECTION AGENCY. (Sroka, Scott) (Entered: 08/21/2019)
08/22/2019		MINUTE ORDER: In light of the parties' <u>21</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report, including, if necessary, a proposed briefing schedule, by October 9, 2019. Signed by Judge Timothy J. Kelly on 8/22/2019. (lctjk2) (Entered: 08/22/2019)
10/09/2019	<u>22</u>	Joint STATUS REPORT by UNITED STATES ENVIRONMENTAL PROTECTION AGENCY. (Sroka, Scott) (Entered: 10/09/2019)
10/11/2019		MINUTE ORDER: In light of the parties' <u>22</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report by November 15, 2019, unless a stipulation of dismissal is filed before then. Signed by Judge Timothy J. Kelly on 10/11/19. (lctjk2) (Entered: 10/11/2019)
11/15/2019	<u>23</u>	Joint STATUS REPORT by UNITED STATES ENVIRONMENTAL PROTECTION AGENCY. (Sroka, Scott) (Entered: 11/15/2019)
11/15/2019		MINUTE ORDER: In light of the parties' <u>23</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report by December 16, 2019, unless a stipulation of dismissal is filed before then. Signed by Judge Timothy J. Kelly on 11/15/19. (lctjk2) (Entered: 11/15/2019)